

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

_____)	
UNITED STATES OF AMERICA)	
)	
v.)	CASE NO. 05-10019-RGS
)	
DANIEL W. McELROY,)	
AIMEE J. KING McELROY, and)	
XIEU VAN SON)	
_____)	

**JOINT MOTION OF THE DEFENDANTS, DANIEL W. MCELROY AND
AIMEE J. KING MCELROY TO CONTINUE ARRAIGNMENT
UNTIL FEBRUARY 15, 2005**

The Defendants Daniel W. McElroy ("Mr. McElroy") and Aimee J. King McElroy ("Mrs. McElroy") move to continue their arraignment from February 8, 2005 at 12:30 p.m. to February 15, 2005 at 2:00 p.m. for the following reasons:

1. Counsel for Mr. McElroy has a sentencing scheduled in the case of United States v. Anthony Lavelly, 04 CR 10025-NG for 2:30 p.m. on February 8, 2005 and needs to meet with his client and other individuals on February 8, 2005 for many hours prior to the sentencing hearing.

2. Counsel for Mrs. McElroy is scheduled to start a civil trial, Microsoft Corporation v. Metrowest Computer Systems, Inc. and Kam Po Leung v. Pawtucket Mutual Insurance Company, 00 CV 10246-NG, on February 7, 2005 and will be on trial the entire week.

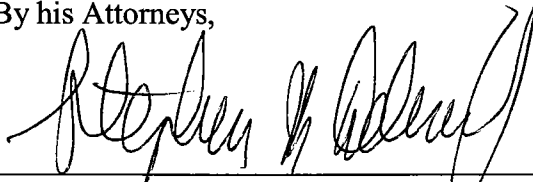
3. Counsel for both the Defendant, Xieu Van Son, Charles Rankin, Esquire and the government, Assistant United States Attorney Paul Levenson have assented to this motion.

WHEREFORE, the Defendants Mr. and Mrs. McElroy move that the Court continue the arraignment until February 15, 2005 at 2:00 p.m.

Respectfully Submitted,

DANIEL W. McELROY

By his Attorneys,



Stephen R. Delinsky (BBO #119120)

Andrew R. McConville (BBO #632804)

ECKERT, SEAMANS, CHERIN & MELLOTT, LLC

One International Place, 18th Floor

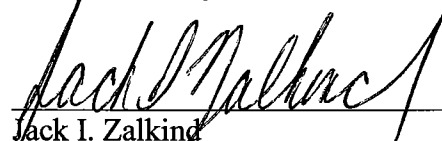
Boston, Massachusetts 02110

Telephone No.: (617) 342-6800

Facsimile No. (617) 342-6899

AIMEE J. McELROY

By her Attorney:



Jack I. Zalkind

BBO No. 538840

One International Place, 18th Flr.

Boston, MA 02110

Telephone: (617) 227-3950

Facsimile: (617) 342-6899

February 1, 2005